

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

v.

FRANK R. PARLATO, JR., et al
Defendant.

NOTICE OF MOTION

Case No.: 15-cr-00149(RJA)

S I R S :

PLEASE TAKE NOTICE, that upon the annexed affidavit of Herbert L. Greenman the undersigned moves this Court for an Order permitting defendant Frank Parlato to waive his appearance for the status conference scheduled before Senior United States District Judge Richard J. Arcara on June 28, 2022 together with such other and further relief as to this Court may deem just and proper.

DATED: Buffalo, New York
June 27, 2022

Respectfully submitted,

/s/Herbert L. Greenman

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HERBERT L. GREENMAN, ESQ.
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,
v.

AFFIDAVIT

Case No.: 15-cr-149(RJA)

FRANK R. PARLATO, JR., et al
Defendant.

STATE OF NEW YORK)
COUNTY OF ERIE)ss
CITY OF BUFFALO)

HERBERT L. GREENMAN, ESQ. being duly sworn, depose and say:

1) I am an attorney for the defendant Frank R. Parlato, Jr. together with co-counsel Paul J. Cambria, Jr, Esq. and Justin Ginter, Esq.

2) By order of Senior United States District Judge Richard J. Arcara a status conference is scheduled for Tuesday, June 28, 2022.

3) As this Court has been previously advised, Mr. Parlato is a resident of Florida. As a consequence, we are requesting that Mr. Parlato's appearance be waived.

4) Counsel has spoken with Mr. Parlato who has advised that he wishes to waive his appearance for purposes of the status conference.

5) Assistant United States Attorney Michael DiGiacomo has advised that he has no objection to this request.

WHEREFORE, your deponent prays that this Court rule accordingly.

/s/Herbert L. Greenman
Herbert L. Greenman, ESQ.

Subscribed and sworn to before me this
27th day of June, 2022

/s/Elizabeth M. Jagord-Ward

Notary Public State of New York,
Qualified in Erie County
My Commission Expires October 31, 2022.